

THE JURY GOT THE CASE AT NINE O'CLOCK LAST NIGHT

Early Indications Were Against an Agreement of Any Kind During the Night.

THEY RETIRED ABOUT 11 O'CLOCK

Some Great Speeches Made During the Closing Hours of the Most Interesting Murder Case in the History of the County

FAITHFUL TO THE END

Women With Babies Were There to Hear the Closing Details

THE INSTRUCTIONS LONG

It is now up to the jury. The future of Eddy H. McCole rests in the hands of twelve of his peers. The most celebrated murder case ever tried in Macon county has been completed and the jury of twelve men selected to try the case must now return the verdict and decide whether or not McCole is guilty of the murder of W. G. McNier. The case was given to the jury at 9 o'clock Tuesday night.

The final arguments were finished Tuesday evening at 6 o'clock. An adjournment was taken until after supper time and the instructions were then given to the jury and that was the last that the attorneys or court officials had to do with it.

The interest in the case continued until the last moment. Although it was known that there would be nothing at the night session excepting the delivering of the instructions to the jury the court room was crowded as it has been at all times during the trial.

Nearly an hour was occupied by Judge Cochran in reading to the jury the instructions which had been prepared. The jurors listened attentively while the judge was reading. The instructions were of the usual kind excepting that they were a little more numerous than is usual in murder cases. The fact that several different defenses were presented necessitated instructions which covered all these points, consequently the instructions were lengthy.

Infants and Attorneys.

During the afternoon the court room was crowded with people about as thickly as it was possible. While the attorneys were making their arguments the people present seemed to be greatly interested but there were some women present who brought with them their babies.

Judge Cochran placed an age limit of sixteen years for all children not accompanied by parents. If the age limit had been sixteen days it would have shut out some of the little ones present.

Four Spoke.

The jurors listened to twelve hours of arguments. Some of the speeches were made Monday and the arguments were finished Tuesday. Mr. Buckingham who spoke Monday night finished his arguments Monday morning. He was followed by L. R. Mills for the defense who hammered the strong points of his side at the jury in a way which only Mr. Mills is able to do.

Fireworks Followed.

C. C. Leforge, who had charge of the case for the defendant was the next to speak. Mr. Leforge made what was said by his friends to be the best effort in his legal practice. He began by explaining the position of the attorneys for the defense and gradually warmed up to his subject and presented probably the most eloquent speech that he ever delivered before a jury in the court room.

Strong Close.

Mr. Redmon closed for the prosecution. He made an excellent speech taking up the different points of the case and endeavored to show how it was impossible for the defendant to have any excuse for killing McNier.

Mr. Redmon did not close his speech until 6 o'clock and court adjourned until 8 p.m. when the instructions were given.

Good Stayers.

The crowd at night was almost as large as during the day time. The spectators seemed to think that the jury would return a verdict in a few minutes and it was some time after court adjourned before the people left the court room.

Bailiff David Hoff was kept busy quieting the crowd. Joe Stipes, the colored man well known in this city, saw the bailiff waving his hand at the people to induce them to be quiet. Stipes thought that he would assist a little and he helped to make matters worse by waving his hand wildly in the air.

A Word for Hoff.

Stipes was quickly induced to be quiet and but few in the crowd knew that there was a drunken man in the court room.

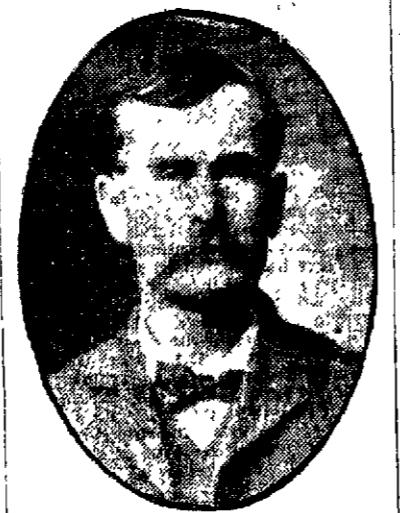
In fact all through the trial of the case Bailiff Hoff has preserved good order and at the same time has been accommodating to the spectators. Any ladies who came to the court room to hear the evidence were given a seat if there was one left to give. Raymond Hoff was in charge of the jury. Before the jurors retired Tuesday night the bailiff in charge of the jury was

entered into a conspiracy. Mr. Redmon said, he did not believe. He suggested that Mrs. McCole who visited Maxwell so often might have laid a scheme to get McNier's money.

Mr. Redmon talked about the letters and claimed that there was no evidence to show that McNier and Mrs. McCole had been guilty of adultery.

Law on Murder.

The statute on murder and manslaughter was read and the prosecutor said there was no manslaughter in this case, but that it was a pure case



STATE'S ATTORNEY REDMON
Who Made Closing Speech.

given a special oath in which he promised to keep the jury in a secluded place, not suffer the jurors to converse with anyone on the outside and not to ask them whether or not they had arrived at a verdict until they announced that they were ready to appear before the court.

Then the jury retired and the trial of sixteen days which had been a hard strain upon prisoner, lawyers and judge was brought to a close.

All Wore Flowers.

Attorney L. R. Mills came to the court room Tuesday night with a large bouquet of sweet peas picked from his own garden. The flowers were distributed among those who have been connected with the trial, and bailiff, officers, lawyers, prisoner and witnesses all wore a little bunch of sweet peas.

To the Finish.

The members of the Ladies' Auxiliary of the circuit court who have tried the case during the noon hour each day four different times and who have returned as many verdicts, thin out a little toward the last. At night the ladies were not as numerous as they had been during the daytime but there was one faithful who did not miss a minute of the trial.

The last member was Mrs. W. J. Carter of Monroe. She was there early in the morning when court adjourned and did not miss anything on account of meal times and she was there when the final instructions were given to the jury.

Women Made Good.

In fact there has never been a case tried in the Macon county circuit court in which the women have taken a great interest as in this case. More women have been in the court room than men during the trial and although it was announced in the beginning that there would be brought up subjects which would be embarrassing to the spectators, have been the majority of the spectators have been women and they stayed bravely through the times when smutty testimony was introduced.

Not the Longest.

The jury in this case was held for sixteen days up to last night. The cost of the jury is \$24 a day and since the case has started the cost of paying the jurors will amount to nearly \$400, not to speak of the cost of feeding the jurors and the \$2100 that it cost the county in order to secure a jury.

It was generally supposed that this was the longest murder trial ever held in this country but that is a mistake. The longest trial in this country was that of Mrs. Henkle, charged with murder in which case W. C. Johns, now judge, and L. A. Buckingham, who assisted State's Attorney Redmon on this occasion, prosecuted. The trial lasted for three weeks, several days longer than this case.

The details of the proceedings of Tuesday are given below.

A DELIBERATE MURDER.

Systematically Planned and Carried Out in Mr. Redmon's Claim.

Mr. Redmon said he read in a newspaper that if a man made a fool of himself over a woman it was generally over a woman named Blinde or Pearl. He said they had been a good deal of discussion which was not confined to the issues of the case. McCole is on trial for murder and that is the case which is to be tried. Mr. Redmon said there had been a good deal of prosecution of McCole and Mrs. McCole for adultery and that there was a law providing for such offense if they had been indicted for adultery.

Mr. Redmon spoke of some of the statements made by Mr. Leforge and asked that the jury try the case before them and on the evidence presented. He referred to the talk about the sacredness of home. In this regard he said no man ever married a virtuous woman and lived with her seven years and saw her go astray unless it was because the husband has neglected his duties toward his wife. If a man wants to retain the affections of his wife he must continue after his marriage the same treatment which showed her before marriage which won her affections.

Not Manly.

Mr. Redmon said that McCole's actions, after he had learned the stories which aroused his suspicions, in inviting his wife to choose were not manly. The right kind of man he said, would have removed his wife from temptation. If he had learned that she was absolutely untrue to him McCole should have chosen to leave his wife rather than to invite her to choose between her lawless husband and the man accused of leading her astray.

The attorney said he could not respect the man who would want to take his wife back to the house where resided the man she was flirting with and stand idly and let it go on.

In regard to the sacredness of home Mr. Redmon said he did not think light housekeeping, three rooms up stairs and a poodle dog made a home. It is found, he said, that Mrs. McCole was on the streets a good deal and went to McCole's drug store several times a day and went to Sullivan on his money. She was not doing things to make home pleasant for her husband. He was not there much and he was not doing a great deal to help make her happy.

Furnished Money.

Mr. Redmon referred to money gifts from McCole mentioned in his letters. In one letter McCole wrote that his pocket book was at Mrs. McCole's command and about the same time, \$2,000 of McCole's money was missing. The story of the defense that Maxwell and McCole had

Let Her Kill.

"To return to this case," said Mr. Redmon. "If you acquit this man of the charge of murder it simply puts the law into the hands of a lot of fools who will think that they have the right to kill a man if he goes buggy riding with another man's wife."

"Two wrongs do not make a right. If the killing of McCole by McCole righted any wrong that was done by McCole then three rights will make it still better."

"I mean that if you acquit McCole then Mrs. McCole has the right to take a shotgun and go down and wait for and kill Mrs. McCole at her boarding house on North Broadway and there is no law which gives anyone such a right."

"There has been much said about the wrong done to the family of McCole but compare his condition with that of Mrs. McCole and see who stands in the best position today and think whether or not the killing has righted matters to any extent."

"I am here in the position of the man who must prosecute all men in Macon county who violates the laws of Illinois and to do this work in an honest way. There rests a responsibility and a grave one upon the Judge but the last responsibility rests upon you men as the jurors and I want you to act like men and do your duty even though it may be hard to do."

LEFORGE GREW ELOQUENT

In Speaking About Ruined Homes and Husbands

Mr. Leforge began his speech by saying that the verdict in this case would establish a precedent. He accepted this challenge and thought too that it would establish a precedent which would go on record in every home as well as in the courts.

The attorney said that there would be no defense on the part of the defense for the jurors to do anything not entirely lawfully; that there was an mistaken idea as to what was the law. The defense was well aware of the majesty of the law and believed that the law should be held above everything else.

Woman's Honor.

Mr. Leforge referred to the lynching which occurred here some years ago and said it was the only time that the law was taken in hands by the people in this county and it was done because of an assault upon a matron's honor. If there ever was a thing which appealed to a jury it is the honor of a woman.

The attorney charged the jurors that they were men the same now as before taken as jurors, and that they were not mere machines. All that would be asked of them would be that they do what they thought was their duty.

Mr. Leforge concluded this part of his speech with an eloquent appeal in which he said he wanted to see the color of the man's hair who would convict McCole for killing the seducer of his wife.

Brother's Part.

The jury was told by Mr. Redmon that he thought McCole and his brother had talked over the trouble at the office and had probably decided then that it would be proper to kill McNier, and that the story told by C. S. McCole about going in McCole's drug store to get a cigar was highly improbable.

C. S. McCole went to the drug store to learn where McCole was

shot at that time and that a man who was worked up like it was claimed McCole was would not likely go to the Church street house and stay there twenty or thirty minutes for the purpose of getting a shirt waist and some music.

The attorney said that McCole testified that McCole had promised never to write or speak to Mrs. McCole again and he left, he testified, believing that everything was all right.

McCole said further that McCole never did speak or write to his wife again, yet McCole bought the gun and before he had read or knew about the letters.

How It Happened.

Mr. Redmon explained that when McCole walked nearly twenty feet on the porch before he reached the kitchen door and would have to put the key in the door, and that McCole who was in the kitchen at the time, when he testified that he did not hear McCole walking on the porch, did not tell the truth. It was also claimed that McCole did not tell the truth when he said McCole was standing upright in the doorway. The bullet went through the door.

The exhibition of the clothing of the dead man caused Mrs. McCole to cry as she did on every other occasion during the trial when the clothing was shown.

Mr. Redmon said that even if McCole did reach his hand toward his pocket it was no excuse for McCole to shoot.

"The case is this," said Mr. Redmon. "Here is a man who sat idly by and let the flirtation go on and his wife at the same time working the other man for money. He reads the letters and gets angry and jealous, takes whisky and goes to the house where McCole ought to feel in safety. McCole went and shoots down McCole like a dog."

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of Higgin's addition

to Mr. J. Gleeson

2 of Leforger and Pa-

son to Decatur; \$300.

to Harry Flisk, J.

lots in section 2, town-

3 east, \$500.

back, trustee, to Dem-

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same; \$1.

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con to Decatur; \$500.

to Harry J. Gleeson

2 of Leforger and Pa-

son to Decatur; \$300.

to Charles E. Pe-

ter to H. A. Wood's

addition to Decatur; \$410.

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to Harry J. Gleeson

2 of Leforger and Pa-

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to Laura B. You-

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ter; \$12,244.88.

to Charles E. Pe-

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DECATUR HERALD.
222 E. Main St., Decatur, Ill.
Published by
THE HERALD-DESPATCH CO.The Herald-Despatch.
Established October 6, 1880.

TERMS OF SUBSCRIPTION.

BY MAIL—In Advance. \$5.00

Daily—Per Annum. 2.50

Semi-Weekly—Per Year. 1.00

BY CARRIER. 1.00

Daily—Per Month. 400

TELEPHONE NUMBERS

New—Business Office. 29

New—Editorial Room. 23

Old—Business Office. 43

Old—Editorial Room (two rings). 43

Entered at the postoffice at Decatur, Ill., as second class matter, Address

communications to THE HERALD,

Decatur, Ill.

It is about time for flood news from

the lower Mississippi.

So far the mosquitoes have been a

little slow in presenting their bills.

One thing is true. This kind of a summer makes the ice man shiver.

Andrew Carnegie the canny Scot, is investing a million dollars in a St. Louis public library.

It is Judge John now. He has his commission and has taken the oath of office.

Chicago looks better. A clean shirt and a square meal always improves people's looks.

Now here. Speaking of the American Derby winner—did any on "Picket"? No, but a number were plucked.

There is one good feature about this year's June. It has been very pleasant for the birds.

After all it is about as pernicious to be a witness in a Kentucky fuel trial as to be king of Servia.

It will soon be known whether or not the United States of Colombia will deliberately cut her own throat.

The laying of the corner stone of the Masonic Home at Sullivan today is the event of Central Illinois for this year.

John D. Rockefeller has again remembered the impecunious university of Chicago with a half million handout.

Lieut.-Gov. Lee of Missouri is again dodging the St. Louis grand jury. Perhaps he has been bribed to stay away.

That old Independence belt will fool around going away from home to be exhibited until it gets into a wreck and gets smashed up.

King Edward congratulates Lipton but it will be observed that the royal visit does not risk any money on Sir Thomas' boat.

June 23rd, 1865 South Carolina was readmitted to the union. Judging by the Tillmans it was no particular credit to the Union either.

There are those who even charge the postoffice scandals to Grover Cleveland. That is a little like attributing the Belleville outrage to Gov. Yates.

Any man who can't get "mentioned" for vice president with Roosevelt demonstrates that he is a very poor hand at working the press.

While only three years old were allowed to run in the Chicago derby last Saturday there was no age limit for the fools who were disconnected from their money.

Now that the Chicago Hotel strike is settled the ordinary man will again settle down to paying all a meal is worth and then be held up by the waiter who brings it.

Mr. Lowden's claim for nomination for governor appears to rest chiefly on the fact that Mr. Lowden married one of the Pullman girls. Her millions are supposed to work miracles.

If Logan county can convict a batch of vote buyers and sellers she will render other Illinois counties a distinct service. Something needs to be done to curb election debauchery.

With the passing of the cyclone, the subsidence of the floods, the country can reasonably expect a season of tranquility unless the Tillman family gets into a state of eruption again.

Clark Howell, democrat, national committee man, editor Atlanta Constitution, says Cleveland's interview withdrawing a former one, makes him like Burke, willing.

One explanation of the failure of the Curtis Jett jury failing to convict that they thought hanging too good for him. In these Kentucky feuds there are some strange proceedings.

Mayor Devereux of Springfield is getting to be persona non grata with the newspapers of the town. Even the Register feels called upon to say some unkind things about the man it supported. The offense is that he permits open gambling.

Yale university's brightest man this year was a farmer. That is nothing new. Most successful men in all departments of human activity and research are from the country and country towns.

As the time for trial approaches Jim Tillman contemplates asking for a change of venue. If taken it should be to another state. Anyhow this distinguished citizen of South Carolina will be accorded what he wants. He is a kinsman of Senator Tillman.

Springfield's season of virtue is over. For a few weeks gambling was prohibited. It is now stated that everything is wide open again Springfield should take a look at Decatur and see a town where its gamblers are gone.

They probably are over at the state capital. Delightful Decatur.

Advertising experts regard the paper carrying the largest quantity of classified or want advertising as the paper most read and valued by the people. The Herald's bargain page always has been the largest of any Decatur paper.

A democratic organ observes that Grover Cleveland says he wants to be a private but he continues to do more talking than a major general. Still there are those who insist that the democrats are in no need of harmony sake for their causes.

LOST HIS OPPORTUNITY.

The Chicago papers announce that ex-Speaker Sherman will be a very formidable candidate for the republican nomination for governor. To which the People Star adds: A year ago the ex-speaker was regarded as in the line of succession, but Lawrence has made so many blunders since then that he is now hardly a possibility. The truth of it is, he seems by the natural constitution of his mind to be a disturber. He backs the art of constructive statesmanship. He is always going to do something awful and he is forever announcing a combination that never combines. This thing has weakened his influence and destroyed his leadership. His friends are afraid of him. He was not wise enough even to take advantage of the blunders of Speaker Miller, and they were many. It is a great pity too, for Sherman at one time had the confidence of the republican voters to an astonishing degree but he developed the qualities of a dreamer rather than that man a shrewd leader of men or that denote an intellect capable of forecasting the trend of public thought. With this outlook it does not appear very probable that Sherman will do much more than "bob around" and as the pugilists say, "spar for wind."

SOUND AND SENSIBLE.

The noise made by railroads in certain portions of Chicago has affected unfavorably the price of real estate. The noise made by the roads in all the cities of the state is far greater than there is any need of and the public has suffered as a consequence while the roads have not gained. It is a remarkable fact that in this day, when well managed railroad lines find it so profitable to cater to the wishes of the public in providing all the comforts and conveniences of travel there should be such utter disregard of the wishes of the public in the matter of noise. It would almost seem that the more the people complain the more the din increases. That there is any excuse for all the loud whistling the residents near some of our roads are compelled to hear no one will seriously contend. And yet the unearthly noise goes on to the discomfort of thousands and the positive injury of the health of many. It is this drawback to the steam roads that has caused many to welcome the suggestion of electric lines as promising a long sought relief and certainly the elimination of the nerve-racking features incident to the steam lines would be a powerful argument for the trolley. The movement for the railroading, if not the elimination, of noise is one of the most important in modern railway operation and it must of necessity lead to a change in present methods—Pantograph.

ALL EXPLAINED NOW.

Your Uncle Northcott, for 13 years head consul of the Modern Woodmen of America, at \$5,000 a year, declined re-election at the recent meeting. He could easily have retained this snug berth but he put it aside. The reason for his action was not easily seen. Now

it is plain. He is a candidate for vice president on the ticket with Roosevelt. He did not want any weight to his ambition. Hence he cut them and is free.

Looking back and seeing how easy it was for him to learn to preside over the Illinois state senate he wanted to take a turn at presiding over real statesmen in the senate of the United States. When he runs counter to Ben Tillman and Joe Bailey when they get going he will think a buzz-saw a Sunday school class in comparison. But never mind he is not yet elected. If he can get Illinois for him and convince the national convention that he is a "bigger man than old" Beveridge of Indiana he may have hopes and be in line for president. President Northcott would not be a bad phrase in case of a nation's extremity. Illinois is a good state out of which to take a vice president and as an early bird Mr. Northcott is hot after the worm.

It is to be hoped that the new manager of the old telephone company will give some attention to the accommodation of customers who pay for the alleged service. The new regulations refusing to give connections without numbers lead to much annoyance and confusion. With the system (?) of attaching names to numbers and giving the same number to different users, the insisting on new and monstrous methods of calling numbers the ordinary customer, who is not up to such tricks, is often seriously embarrassed in trying to get his money's worth out of the telephone.

With an exchange of less than 1000 instruments there does not seem to be much need of using the same number for two different places. The numbers often run as high as 3,000 or 4,000 giving the widest latitude for each telephone user to have a number of his own and then some to spare. "Red," "blue," "herry," etc. are confusing and irritating. Their use with duplicate numbers often call people to answer a call intended for some one else. If the new manager will bend his energies to simplify the system and a more ready accommodating of the public he will find his efforts fully appreciated.

According to an exchange a Denver man married and his friends made conspicuous asses of themselves, as is now unkindly the fashion. When he took the Pullman car at the depot the cheerful idiots nailed old shoes and banners to the sleeper inside and out. Nails were driven into the car as though it were a picket fence, and the sleeper had to be sent to the shop to be overhauled. Even the porter became indignant, and one can realize what the outrage must have been to have shocked the porter. Now the Pullman Car company has sued the bridegroom for damages and the result is a very pretty bill indeed. It is a great mistake on the part of the car company. They ought to have instituted suit against the idiots who did the damage.

Bloomington is promised a rebellion or insurrection or something of the sort. Since time began in Bloomington the drays have occupied a position on the south side of the public square, the very heart of the city. The city council has ordered the chief of police to move them. Fifteen draymen say they will not move but will go to jail first. For many years a line of old ramshackle wagons has continually lined the south side of the court house square. The huck stand was on the west and north sides. Now that a new half million dollar court house is completed it is proposed to move these nuisance off to a side street. They will go as twenty years occupancy does not give them title to a public street.

The Illinois supreme court has handed down a far-reaching decision in relation to clubs, says the Rock Island Union. The enforcement of the law will increase the income of every town and city in the state where a club is maintained. In Chicago, it is estimated that 250 clubs will come under the law, thereby bringing to that city an annual income of \$125,000 if they continue in existence and obey the law. The decision not only affects every club where liquor is sold, but makes it unlawful for persons to dispense liquors at picnics, dances or fairs. Restaurants operating without regularly licensed bars where liquors are dispensed will have to pay \$500 to the city or be subject to arrest. The clubs may not evade the law by giving liquor away, as the ruling of the court is specific in this regard as well as dealing with the sale of liquors at cost.

The cruiser Galveston under construction at Richmond is tied up by an injunction by a Virginia court on application of some sub-contractor. The United States will disregard the injunction and launch the vessel. The work of the government in naval construction can not be hindered by the troubles of some petty contractor.

Force will be used if necessary but it

Clair county, who are charged with failure to do their duty in investigating the lynching of the negro, Wyatt, at Belleville, two weeks ago. John G. Jones, known during his term in the legislature as "Indignation Jones," and L. B. Anderson of Chicago, both colored are in Springfield to make the appeal to Gov. Northcott and Attorney General Hamlin. They represent the Civic Right and Protective League of Illinois, having a membership of about 600 persons.

Jim Tillman wants a change of venue. Thus has begun the interminable struggle of this South Carolina coward and bully to wear out the case that he may go free. It will be remembered that he met and shot down without warning an unarmed and helpless man. The offense was that his victim had criticised Tillman's conduct in a newspaper. Tillman was at the time lieutenant governor of South Carolina.

If justice gets a chance it will make short work of Jim Tillman.

The Springfield Register may be a little cross-colored politically but it is sound when it says that "Murder is murder, whether monarch or peasant be the victim. Under no circumstances is murder excusable. Under no circumstances or conditions is murder justifiable. A man may kill another in self defense and be justified in the act. But when a man or a number of men assassinate or murder any man or number of men, they are not justified, and they should pay the extreme penalty for their bloody crime."

Here is another case of special interest. Rev. Dr. George C. Lorimer was offered \$20,000 to preach at Boston in his old pulpit, Tremont Temple. He declined, though his New York salary is only \$10,000. Having been once in Boston he thinks there is a difference in the two places as a residence. Anyhow what does a Baptist preacher want with more than \$10,000 salary? Some get along on less and are useful, respected and happy. Money is not a source of happiness. Contentment with goodness is great gain.

Lieutenant Governor Northcott appears to have held the whip-hand at the Indianapolis convention of the Modern Woodmen. The anti-administration candidate did not appear.

Northcott retires from the place he has held so long as head consul. It looks much as though he had something to do in choosing his successor.

Major Pond is dead. He was one of the best known managers of lecturers and singers in the country. His career began as the manager of Brigham Young's 18th wife, Ann Eliza, after she renounced Mormonism. Distinguished men who have been under Major Pond's direction are Wendell Phillips, William Lloyd Garrison, Robert G. Ingersoll, Henry Ward Beecher, Bill Nye, and Max O'Rell.

It is said that President Roosevelt wants Judge Grosscup as his team mate in 1904. Judge Grosscup has a life position as judge of the federal court. This place is much to his liking and it is not believed that such a sacrifice as giving it up will be made.

Myron T. Herrick of Ohio is mentioned as Roosevelt's second choice. Possibly

Beveridge of Indiana will be spared the humiliation of being shamed by election as vice president.

The near approach to July 4 makes it fitting to suggest that one day of noise is enough. Last year Mayor Shillings kept the racket within bounds. He will no doubt do so again. The torpedo abomination on the street car lines should have strict attention. It is the worst of all.

The American Bible society report that the old book is printed in 153 languages or dialects. The demand for the book of books is increasing. No other book can approach the bible in the number sold. These facts are hard to harmonize with the allegation often made by the irreligious that Christianity is losing its hold on the masses.

Servia is to feel the weight of the disapproval of civilized nations. They will not recognize government created by assassination and will suspend friendly relations with the disgraced country. England and Holland have withdrawn their representatives and it is said the United States will do likewise.

The cruiser Galveston under construction at Richmond is tied up by an injunction by a Virginia court on application of some sub-contractor.

The United States will disregard the injunction and launch the vessel. The work of the government in naval construction can not be hindered by the troubles of some petty contractor. Force will be used if necessary but it

WALTER ELWORTHY, MEXICAN WAR VETERAN,
STILL ACTIVELY EMPLOYED, AND 73 YEARS OLD

The survivors of the Mexican war have disappeared so gradually that being much concerned with our personal affairs and unless intimately associated with us as individuals, they have gone almost without notice.

From that point they made a number of marches after the Pueblo and Apache Indians. The latter, however, always managed to evade an encounter with the troops. They did one time get hold of an Apache chief who was taken to headquarters and held until peace was made with the redmen.

Elworthy says that while they did not have any pitched battles with the Mexicans their encounters with the half breeds about Albuquerque were plentiful. That was because the seorias would smile on the man wearing the blue clothes and brass buttons in preference to the scowling seior who regarded the soldiers as intruders and precipitated a fight at the earliest opportunity especially if there were more Mexicans than soldiers in sight. Elworthy says that while they did not have any pitched battles with the Mexicans their encounters with the half breeds about Albuquerque were plentiful. That was because the seorias would smile on the man wearing the blue clothes and brass buttons in preference to the scowling seior who regarded the soldiers as intruders and precipitated a fight at the earliest opportunity especially if there were more Mexicans than soldiers in sight.

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WILL NOT LIVE WITH HIS WIFE BROTHER OF M'COOLE SAYS SO

Prisoner Did Not Go to Her After the Jury
Acquitted Him of the Killing
of W. G. M'Nier

NOT GUILTY ON FOURTH BALLOT

At First the Jury Stood 9 to 3 in Favor of Acquittal—What the
Principals Say About the Case.

M'Coole Presents His Pistol to Deputy Sheriff A. W. Hendricks.

EDLEY H. M'COOLE is a free man and his wife, Patsie M'Coole, is still in the same city with him but they are not going to live together any more. The jury in the murder case found M'Coole not guilty of the murder of W. G. M'Nier and returned a verdict Wednesday morning at 8:33 o'clock. That is the end of the case which has stirred the city for the past six weeks. This is what the principals say:

What M'Coole Says.

After being tried Ed. H. M'Coole said: "There have been some hard things said about me during this trial perhaps, but I want to say now that I do not hold any hard feelings toward anyone. It is all over now and I have been acquitted and I do not feel hard toward any one. That is all I want to say."

What Patsie Says.

Patsie M'Coole, the wife of the man who was accused, was seen at Mrs. Childs' house on Broadway Wednesday night. She said:

"I have absolutely nothing to say."

"I do not feel interviewed and I will not talk at all. I have nothing to say, nothing at all to say."

Mrs. M'Coole would not make any statement about her future plans and would not say whether or not she had seen her husband.

What Mrs. M'Nier Says.

Mrs. M'Nier, the widow of the man

As he was being brought from the county jail to the court room the officer asked M'Coole what he thought about his trial and M'Coole said that he did not see how a body of men could do anything but acquit him.

Few Were There.

When the jury returned there were only sixteen persons in the court room. M'Coole and his brother, Deputy Hendricks, Circuit Clerk John Allen, Judge Cochran, the prisoner, and some others were present.

None of the women who have so faithfully watched the progress of the case had the satisfaction of seeing the prisoner here. The court read:

Hugged the Attorney. C. C. Leforge was the only one of the attorneys in the case present, when M'Coole heard the judge read the verdict that set him free he was very happy.

He embraced Mr. Leforge and shook hands with each of the jurors and told them that he did not know what he would ever do for them. C. S. M'Coole, the brother, was also very happy.

Was Congratulated.

M'Coole received the congratulations of those in the court room and then went to his brother's office in the Powers building. He later went to Wilson's barber shop under King's drug store and there held quite a reception. He shook hands with many of his friends on the street.

M'Coole passed most of the morning in the offices of Attorney Mills and Attorney Leforge and most of the afternoon was in his brother's office.

He received a dozen or more telegrams from friends who had been informed by wife that he was acquitted.

Thanked Everyone.

M'Coole was pictured in his thanks

work hard for a time in order to make up their financial loss.

WITH THE JURY.

Nine to Three for Acquittal on First Ballot, Acquittal on Fourth. The jury took three ballots Tuesday night. At first they stood 9 to 3 in favor of acquittal. The last ballot at night showed that there was one man who was not in favor of acquittal, the vote being 11 to 1. The one man was Juror Smart, of Maroa. The jury did not try to do anything more, but retired and in the morning another ballot was taken and all twelve were for acquittal.

One of the jurors in speaking of the case said:

"I was for acquittal on the grounds of self defense. M'Coole swore that he went to the house to get the clothes he had used and there was no proof to contradict his statement. We were compelled to believe what he said. We believed that if M'Coole had not killed M'Nier, the latter would have killed him and we thought that M'Coole had tried to provoke a quarrel that day and the evidence showed that he had made threats."

"M'Coole made a good impression on the jury when he was on the stand. He seemed to tell all the story he was asked about without any hesitation and he did it in a good, straightforward way that made the jurors believe that he was telling the truth."

"Some of the witnesses for the prosecution we did not like. According to my notion there was nothing else for the jury to do but acquit the man. We were compelled to believe M'Coole's story and the evidence showed that he was self defense."

One of the jurors said that he supposed that the determination of the jury would be dictated by some persons but that they had done what they thought was right as the case was presented to them and that was what they were rated up to do.

Wanted to Explain.

J. W. Sanders of Decatur, one of the jurors, called to see M'Coole after the afternoon and said he wanted to explain. He learned on arriving home that the attorneys had attempted to have him removed, charging that he had talked about the case and expressed opinions. Sanders said he did talk about some points of law but not about this particular case and he wanted M'Coole to know that he was honest about his answers when examined as a juror.

Cost Was Great. Cost was great.

This was next to the longest murder trial ever held in this county. In the trial of Mrs. Henkle lasted for three weeks.

The M'Coole case was the most expensive one to the county ever tried and it was necessary to examine more men to secure a jury than in any other trial.

The total amount of money paid out of the treasury in cash was about \$2000. In addition there were about \$2000 fees.

The amount paid to the twelve jurors Tuesday morning was \$300.10.

The entry of "not guilty" was made in the court docket and the orders on the county were given to the jurors and that ended the murder case and officials at the courthouse fell back into the regular routine again.

Attorney General Hamlin Tells Meaning of Disputed Section.

Attorney General Hamlin has given an interpretation of a section of the new game law which has caused considerable discussion. Judge Hamlin says:

The license provided to be issued by Section 25 of the new game law, to persons who desire to hunt and kill game in this state, does not authorize persons holding such license to hunt or kill game on the lands of an owner without first obtaining from the owner, agent or occupant of such lands or grounds his, her or their permission to do so.

COULD NOT FIND RELATIVES.

Remains of Man Who Died at Andrews Restaurant Buried by Friends.

Relatives of Lyman Thornton, the man who died suddenly at the Andrews' restaurant last Saturday night could not be found and Wednesday the body of the man was buried at Greenwood cemetery.

Coroner Dawson made every effort to find the relatives of the man but his search was fruitless. It was at first thought that the man's name was Thornton, but it was afterward found that his name was Thornton and that he was an unmarred man and had been working at Ivesdale.

He had some friends who looked after his burial. The man has some relatives in this country but they could not be located.

FUNERALS.

Mrs. J. M. Rainey.

The funeral of Mrs. J. M. Rainey will be held at 4 o'clock this afternoon from the residence, 548 West Wood street. Rev. M. W. Root of Springfield will officiate and will be assisted by Rev. C. R. Blanchard.

The full vested choir of All Angels' church will furnish the music.

The burial will be at Greenwood cemetery.

In Southern Illinois.

A. F. Hopkins has just returned from a two weeks' trip in Coles and Jackson counties. He reports the corn crop is two weeks later than in Macou county, corn small but a fair stand. There are comparatively few cherries, peaches and apples on the trees. He attended a meeting of the trustees and the commencement exercises of Westfield college, seventeen miles south east of Decatur. The college had an increase in students of ten per cent over the previous year. There were twenty-two graduates in all departments, including the normal and commercial course. The college teaching is beautiful and the community exceptionally good. More students is the crying demand.

Prospects for Oil Near Lincoln.

Men of means have leased several thousand acres of land south of Lincoln and will prospect for oil, it being the intention to begin on the first well in a short time. Experts have made an examination of the territory and the opinion that oil is to be had there if the prospectors go deep enough into the earth for it.

The men who are at the head of the enterprise have unlimited means and say they are going to spare no expense in their prospecting.

Local Consumers are Offering Forty Seven Cents for Large Lots.

The local consumers of grain are offering 47 cents per bushel for white corn in large lots and are offering 45 cents for single lots.

There are a few farmers who have corn that can move at this time, and those who are still holding their last crop are so busy in the fields that they cannot stop to deliver corn.

Many of the country elevator men are unloading at the price offered.

It would be necessary for them both to detect the smile.

NOAH JACOBS IS DEAD

One of the Oldest Residents of Macon County Passed Away Last Night.

HAD BEEN ILL SEVERAL WEEKS.

Noah Jacobs, a well known retired farmer, died at 9 o'clock Wednesday night, June 24, at his home, 226 West Macon street, aged 72 years. Stomach trouble was the cause of death.

Mr. Jacobs had been ill for a long time and the announcement of his death will not be a surprise to his friends as his condition during the past few weeks has been such that little hope was entertained for his recovery.

Both in this city and in the county, Mr. Jacobs was well known. He was a long time a farmer and was a member of the Methodist church at Elwin for 37 years.

Noah Jacobs was born Feb. 20, 1831, in Loudon county, Va., and came to this state when a boy. He settled first in Sangamon county and then was married to Sarah Ayres. With his wife, Mr. Jacobs came to Decatur in 1857 and two years later he moved to a farm southwest of the city. He remained on the farm until nine years ago when he retired and came to Decatur and has since resided here. He is survived by a wife and five sons and two daughters. W. F. Jacobs of Decatur; E. B. Jacobs of Hurstville; T. W. Jacobs, who lives near Decatur; C. L. Jacobs of near Boddy; N. M. Jacobs of Decatur; Mrs. William Miller of Elwin, and Miss Hattie Jacobs of Elwin. All were here at the time of their father's death.

CANT WITHDRAW SIGNATURE

Ruling of Sangamon County Court in

Public Improvement Case.

Objections of property owners to the petition for the paving of Glenwood avenue were overruled yesterday by Judge Murray of the county court. The decision is of exceptional importance because the same question is involved in a number of other cases in this city and in various cities in Illinois.

Judge Murray held that after the board of commissioners or other tribunal having jurisdiction of the matter has passed upon the sufficiency of the petition names cannot be withdrawn therefrom so as to oust the jurisdiction and the statute may be such as to prevent that result even where an attempt is made to withdraw names before the tribunal has acted upon the petition.

The proceedings arose on the petition of a number of property holders on each side of Glenwood avenue praying the board of local improvements to pave Glenwood avenue from the south side to Jefferson street to the north side of Edwards street—Springfield Register.

MONTH OF MARRIAGES

June Is Breaking All Records—Seven Licenses Tuesday.

For some reason the month of June this year will be a record breaker for marriages. So far the county clerk has issued 57 licenses to wed which is an exceptionally large number and the month is not over yet.

As high as six marriages a month have been used in the month and the rush for licenses is not stopping. Seven were issued Thursday.

During June of 1902 fifty-one licenses were issued and that was thought to be a big month, but this year the June record is broken and there is time to issue a good many more yet.

An examination of the books in which are placed the applications for marriage licenses will show that June is always the big month for marriages.

The following are the licenses which were issued Wednesday:

George Arthur Munn, Decatur.....19

Ada Lewis Tuel.....18

Perry M. Lewis, Decatur.....19

Margaret A. Strohacher, Decatur.....18

Marion H. Duckwall, Chicago.....25

Nettie L. McGee, Blue Mound.....22

Samuel Deetz, Decatur.....21

John Rehfeldt, Decatur.....23

Rena Hantz, Decatur.....21

Robert M. Machan, Decatur.....Legal

Laura Mayall, Maroa.....Legal

Ira A. Garver, Decatur.....24

Mary E. Kaufman, Decatur.....20

SUGAR CUTS OUT BEES.

Once, Long Ago, There Were Hives Everywhere.

The apistar, when his bees buzzed about his head, talked about the decay of the honey trade.

"The invention of sugar," he said, "is what has taken all its importance from honey. The ancients had no sugar, and hence they attributed to honey almost divine qualities, and they prized it above every other sort of food. They even embalmed their dead in it. The bodies of Alexander the Great and King Agespolis were preserved in honey, but in vain, for the preservation effects of the substance are only temporary.

"Ambrosia, the food of the gods, was supposed to consist of a mingling of honey and milk. Aristotle said that honey fell from the air at the rising of the stars. Pliny said it came from the air at daybreak. "whence," he goes on, "we find the leaves bedewed with honey when the morning twilight appears, and persons in the open air may feel it in their clothes and hair."

"The dew was supposed to contain honey. Hence the term, 'honey dew.' Bees were reverenced. Everywhere there were hives. I suppose that 1,000 years ago, there were 1,000 bees for every one we have today. Sugar, now, comes to us from the cane and from beets. Hence daily, the need of honey and the taste for it wane."—Philadelphia Record.

GORKY'S FLESH DIET.

Maxim Gorky, whose passionate denunciation of the Russian government threatened to cause him trouble at home, has a number of idiosyncrasies, among them being a periodical change from a flesh to a vegetable diet.

It is said of Gorky that he dined at a table d'hôte one day during one of his periods of vegetarianism, and was much annoyed by the importunities of an old lady who sat opposite him.

"Won't you try, sir," she said, "a little of this chicken?"

"No, madam," Gorky answered. "Perhaps, then, you would like some of the boiled ham?"

"None, thank you."

"Dear me! But surely you'll have a portion of roast beef?"

"No," said the novelist, continuing to eat vegetables only.

"Some roast mutton?" resumed the indefatigable old lady.

"Won't you try, sir," she said, "a little of this chicken?"

"No, madam," Gorky answered. "Perhaps, then, you would like some of the boiled ham?"

"None, thank you."

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"Some roast mutton?" resumed the indefatigable old lady.

"Won't you try, sir," she said, "a little of this chicken?"

"No,

This Great Sale of Summer Shoes and Oxfords

Is worthy of your immediate attention. Here is a constellation of Summer Footwear which talks for itself—in a strong and lusty voice. This combination of beauty, excellence and modest price is unequalled in Decatur. The variety is so extensive, you are sure of finding just what you have been looking for. Every member of your household is in on this: Take a good look at our window,—and come early in the day

Men's Oxfords

Patent Kid,
Patent Calf Skin,
Viol Kid,
All the new Styles.

\$2.00
\$2.50
\$3.00
\$3.50
\$4.00
\$4.50
\$5.00

Men's Shoes

All the leathers, all
the new shapes, best fitting
Shoes made.

\$2.00
\$2.50
\$3.00
\$3.50
\$4.00
\$4.50
\$5.00

Folrath's

152
East Main
St.

SIGN OF THE COBBLER

Ladies' Boots

Welt soles or turns, kid
or patent leather, many
weights, and styles innum-
erable.

\$2.00
\$2.50
\$3.00
\$3.50
\$4.00
\$4.50
\$5.00

Ladies' Oxfords

Dainty, dependable goods,
anything from a common
sense to a real Louis XV
heel.

\$1.25
\$1.50
\$2.00
\$2.50
\$3.00
\$3.50
\$4.00

THE MARKETS

Range of Option.
Open. High. Low. Close.

WHEAT—New—
July 81@84 884 805 884
Sept. 73@74 702 775 758@72
Dec. 78@79 774 774 758@72

WHEAT—Old—
July 82@83 834 815 834
Sept. 78@81 804 804 80

CORN—
July 51@52 51@54 51@52 501
Sept. 50@51 51@51 504 501
Oct. 49@50 49@50 48@49 49@50

ATS—
412 414 411 418
349@35 313@35 313@35 314@35
343 362 36 362

DRK—
\$16.50 16.50 16.40 16.47

ARD—
\$8.47 8.50@8.52 8.45 8.50

RIPS—
\$6.92 8.95@8.97 8.90 8.95

Chicago Cash Market.

Chicago, June 25—Wheat—No. 2 red
\$2; No. 3 red " 6 " No. 2 hard 58
" 12; No. 3 hard 74 to 76; No. 2 hard 58
September opened 78 to 78, highest
at 79, closed 78 to 79.

Corn—No. 2, 51@ to 52; No. 3, 51@ to 52; No. 2 white 51@ to 52; No. 3 yellow 51@ to 52; No. 3 yellow 51@ to 52; September opened 50@ to 51; to 52; highest 51@, lowest 51@, closed 51@ to 51@.

Oats—No. 2, 40; No. 3, 39; No. 2 white 43 to 44; No. 3 white 41 to 42; No. 4 white 40 to 41; standard 42 to 43; September opened 34@ to 35; highest 34@, lowest 34@, closed 34@ to 34@.

Poultry and Produce.

Chicago, Ill., June 25—Butter—

Steady. Creameries 16 to 21. Daries,
15@ to 18.

Eggs—Easy, 12@ to 13@.

Poultry—Steady. Turkeys 10; chick-
ens 11.

New York June 25—Butter—Steady;

creamer, common to choice 18 to 21;

imitation 18 to 19, extra 21 to 24;

eggs—Steady, seconds to firsts 15
to 17, extras 18@.

New York Grain.

New York June 25—Wheat—Septem-
ber, 84@.

Corn—September 58@.

Other Quotations.

Rye—July 52@.

Barley—Cash, 49 to 55.

Flax—\$1.04 to \$1.07.

Timothy—\$3.85.

Clover—\$11.50.

Receipts and Shipments.

Receipts. Shipments
4000 ... 23,000 15,000

FARMERS COLUMN

WANTED—Everybody to buy a meal

ticket at the Farmer's Restaurant.

Meals 15 cents; 7 meals, 95 cents; 21

meals, \$2.75. 451 North Water street.

T. Myers, prop.—Nov. 4-wif.

ON SALE—Very cheap, a large copper kettle and furnace suitable for

butcher, or a farmer for butchering,

making soap, apple butter or as a

country bath tub. Call soon and in-

vest at 333 W. Eldorado, Decatur.

Very cheap and very good—23-wt.

FOR SALE—One fresh Jersey cow,

one large Registered Angus bull No.

1229. Whitely farm, 31 miles south

Harristown. Pegrann & Hostet-

er. Citizens bank building, Decatur,

Ill.—\$25.

DO YOU WANT A GOOD 160-ACRE

well improved and finely lo-

cate, one of the best orchard

in Southern Illinois at half the owner, Walter Col-

lier, Decatur, Ill.

For further information call

John C. Miller, Decatur, Ill.

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